

AFFIDAVIT AND DECLARATION OF PROOF OF SERVICE

STATE OF CALIFORNIA                     )  
  ) ss.  
COUNTY OF MARIN                     )

I, the undersigned, am employed in the county aforesaid; I am over the age of eighteen years and not a party to the within action.

I am employed by the Law Offices of David Y. Wong, 100 Shoreline Highway, Suite 100B, Mill Valley, California 94941 ("the firm").

On January 10, 2008, I served the within document(s) entitled:

Counter Claim of Defendant William Tull and Stipulation and Proposed Order Permitting Filing of Counter Claim by Defendant William Tull

on the interested parties in this action by mailing a true copy thereof, enclosed in a sealed envelope with postage thereon fully prepaid, and by causing such envelope to be deposited in the mail for delivery by first class mail, addressed as follows:

Stephen Sommers  
870 Market Street, Suite 1142  
San Francisco, CA 94102  
839-8569  
956-0878 fx

I am readily familiar with the firm's practice of collecting and processing correspondence for mailing with the United States Postal Service: it is deposited with the United States Postal Service on that same day in the ordinary course of business. I am aware that on motion of a party served, service is presumed invalid if the postal cancellation date or postal meter date on the envelope is more than one day after the date of deposit for mailing contained in this affidavit.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on January 10, 2008, at Mill Valley, California.

  
\_\_\_\_\_  
DAVID Y. WONG